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THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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ELESHA SOTO,

Plaintiff,

v.

TARA KALATZES, GUS KALATZES, and  
GEORGE LIODAKIS,

Defendants.

**ORDER**

- **ADOPTING [11] REPORT AND RECOMMENDATION;**
- **DENYING [12] MOTION FOR DEFAULT JUDGMENT; and**
- **DENYING [15] MOTION FOR WRIT OF EXECUTION**

Case No. 2:21-cv-00225-DBB-JCB

District Judge David Barlow

The Report and Recommendation<sup>1</sup> issued by United States Magistrate Judge Jared C. Bennett on July 7, 2021 recommends that the court dismiss Plaintiff's complaint *sua sponte* for lack of subject matter jurisdiction.<sup>2</sup> The parties were notified of their right to file objections to the Report and Recommendation within 14 days of its service pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72.<sup>3</sup> No party filed an objection. Because no party filed a written objection to the Report and Recommendation by the specified deadline, and because the Magistrate Judge's analysis and conclusions are sound, the court ADOPTS the Report and Recommendation.<sup>4</sup> Accordingly, Plaintiff's action is DISMISSED for lack of subject matter

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<sup>1</sup> ECF No. 11, filed July 7, 2021.

<sup>2</sup> *Id.* at 1.

<sup>3</sup> *Id.* at 2.

<sup>4</sup> The court notes that the amount in controversy alleged in the Complaint is \$40,000, not the \$25,000 referenced in the Report and Recommendation. See ECF No. 8-1 at 11.

jurisdiction. Plaintiff's Motion for Default Judgment<sup>5</sup> and Motion for Writ of Execution<sup>6</sup> motions are therefore DENIED AS MOOT.

Signed August 10, 2021.

BY THE COURT



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David Barlow  
United States District Judge

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<sup>5</sup> ECF No. 12, filed July 9, 2021.

<sup>6</sup> ECF No. 15, filed July 12, 2021.